

**MIAMI-DADE COUNTY FIRE PREVENTION AND SAFETY APPEALS BOARD  
APPLICATION PACKAGE**

**CHAIRPERSON**

Lawrence Cohan

**VICE CHAIRPERSON**

Maria Figueroa-Rodriguez

**MEMBERS**

Ulyses S. Banks

Fernando Fernandez

Armando Piedra

Raymond McDonald

Michael T. Dunn

Ricardo Gonzalez

**BOARD SECRETARY**

Suzanne Gilmore

**NOTICE**

UPON COMPLETION OF THE ATTACHED APPLICATION FOR HEARING, IT IS RECOMMENDED THAT YOU SCHEDULE AN APPOINTMENT WITH MS. SUZANNE GILMORE AT (786-331-4820) FOR REVIEW AND SUBMITTAL OF YOUR COMPLETE APPLICATION PACKAGE.

PLEASE CALL BEFORE THE DEADLINE FOR FILING AS DESCRIBED IN THE MEETING DATES INCLUDED IN THE APPLICATION PACKAGE.

**MIAMI-DADE COUNTY FIRE PREVENTION AND SAFETY APPEALS BOARD**  
***GENERAL INFORMATION***

**APPEALS**

Section 14-46(D) of the Code of Miami-Dade County, Florida, sets forth the duties, functions, powers, and responsibilities of the Miami-Dade County Fire Prevention and Safety Appeals Board. Please see the attached copy of this Section for your information.

.All applications shall be filed with the Miami-Dade County Fire Prevention and Safety Appeals Board on or before the required deadline, twenty-one (21) days prior to the hearing. Any applications filed after the required deadline will be scheduled for the next available hearing date.

All applications shall include copies of any evidence, information, reports or documentation. The applicant is responsible for making copies for each Board member, Board secretary, and other parties, if any, for information submitted after the submission of the application and for any submissions of photographs, non-standard sized pages, binders, or other non-standard copying.

**EMERGENCY HEARINGS**

Under extreme circumstances, an emergency hearing may be requested. In such instances, the Board will first determine, on the basis of the applicant's presentation, if the request represents an emergency deserving the Board's consideration prior to the next regularly scheduled meeting of the Board. For further details concerning this procedure, consult with staff prior to filing for an emergency hearing.

**HEARING DATES**

The schedule of hearing dates is included with this application package or may be obtained by calling the Board Secretary at (786) 331-4820. In accordance with a Board resolution which limits the number of applications that will be heard on a hearing date to ten (10), it is to the applicant's advantage to file early, thereby avoiding possible postponement to a future agenda.

The Clerk of the Board will mail a notice letter and an agenda to the applicant approximately twenty (20)days prior to the hearing.

**WITHDRAWAL OF APPEAL**

Applicants may withdraw their applications by doing so in writing at any time prior to the hearing or at the hearing. Requests for withdrawal prior to the hearing should be directed to the Secretary of the Fire Prevention and Safety Appeals Board.

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**FILING FEE**

A non-refundable filing fee is required. Checks are payable to the “ Miami-Dade County Board of County Commissioners”.

**LETTER OF INTENT**

IT IS REQUIRED THAT THE APPLICATION BE FILED BY THE OWNER(S) OF THE PROPERTY WHICH IS THE SUBJECT OF THE APPLICATION. THE OWNER(S) OR HIS/HER ATTORNEY MUST BE PRESENT AT THE HEARING. Other persons may speak on behalf of the applicant as experts, but may not legally represent the applicant. The letter of intent shall be signed according to the following instructions:

**Corporations:**

If the applicant is a corporation, then the president or vice-president (not a manager or other corporate personnel) must be present or the corporation may be represented by an attorney-at-law at the Board meeting.

**General Partnership or Limited Partnerships:**

If the applicant is a general partnership or limited partnership, then at least one of the general partners must be present or be represented by an attorney-at-law at the Board meeting.

If the general partner is a corporation, then the president or vice president of the corporation (not a manager or other corporate personnel) must be present or the corporation may be represented by an attorney-at-law at the Board meeting.

**Other than Fee Simple Owner:**

If the person seeking relief is not the fee simple owner of the property which is the subject of the application, then the fee simple owner shall also be required to be present at the Board meeting or be represented by an attorney-at-law at the Board meeting.

**Fee Simple Owner:**

If the fee simple owner is a corporation, general partnership or limited partnership then the requirements above shall apply.

**For Other Legal Entities:**

For other legal entities, such as, but not limited to limited liability companies, please contact the administrative staff of the Fire Prevention and Safety Appeals Board. Limited Liability Companies, Florida and Non-Florida, will be required to submit a properly executed Affidavit on a form prescribed by the Secretary of the Board. All limited liability companies must be represented by a Florida attorney-at-law at the Board hearing.

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**CHECK LIST**

The following items must be submitted for all cases.

\_\_\_\_\_ Application form completely filled out and properly executed (original and 10 copies).

\_\_\_\_\_ Letter of Intent (original and 10 copies) addressed to Suzanne Gilmore, Board Secretary, Fire Prevention and Safety Appeals Board, 9300 NW 41 Street, Doral, Florida 33178. The Letter of Intent shall include the address of the property which is the subject of the application, the name of the fire department having jurisdiction, the requirement of the fire department that is the subject of the application, the code cited by the fire department having jurisdiction, and a brief description of the facts and circumstances. In addition, the Letter of Intent shall state which of the provisions of Section 14-46(D) of the Code of Miami-Dade County, Florida, is the basis for the application..

\_\_\_\_\_ Filing fee of \$100.00. Make checks payable to Miami-Dade County Board of County Commissioners.

\_\_\_\_\_ The name, address, telephone number and professional credentials of any expert witness who may testify at the Board hearing shall be submitted to Clerk of the Board not less than ten (10) days before the scheduled Board hearing.

\_\_\_\_\_ Applicant's Affidavit (1 copy) for Limited Liability Companies on a form prescribed by the Secretary of the Board.

**NOTE: THE OWNER(S) OR THE OWNER'S ATTORNEY-AT-LAW MUST BE PRESENT AT THE BOARD HEARING.**

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**APPLICATION FOR PUBLIC HEARING  
FIRE PREVENTION AND SAFETY APPEALS BOARD**

TO BE FILLED OUT BY APPLICANT: (Please Type)

Name of Applicant (Property Owner) \_\_\_\_\_

Mailing Address \_\_\_\_\_  
\_\_\_\_\_

Telephone (during work hours) \_\_\_\_\_ E-mail address \_\_\_\_\_

Address or street location of subject property: \_\_\_\_\_  
\_\_\_\_\_

Folio Number: \_\_\_\_\_

Legal Description of the Property covered by this application: \_\_\_\_\_  
\_\_\_\_\_

Name of Fire Department \_\_\_\_\_

Requirement of Fire Department \_\_\_\_\_  
\_\_\_\_\_

Code(s) Cited by Fire Department \_\_\_\_\_

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Present Use of Property \_\_\_\_\_

Proposed Use of Property: \_\_\_\_\_

Is this new construction, renovation, or a new addition?  
(Yes)\_\_\_\_\_ (No)\_\_\_\_\_

If yes, has a Building Permit been issued? (Yes)\_\_\_\_\_ (No)\_\_\_\_\_

Is this application being filed as a result of a "Notice of Violation" from the Miami-Dade County Fire Rescue Department or any other fire department having jurisdiction? (Yes) \_\_\_\_\_ (No) \_\_\_\_\_ If yes, please furnish a legible copy of the Notice of Violation.

Describe any existing structures on the property. If none, state so.

Please check below the reason for the submittal of this application:

\_\_\_\_\_ New Construction – Denial of Permit

\_\_\_\_\_ New Construction - Denial of Certificate of Occupancy or Temporary Certificate of Occupancy

\_\_\_\_\_ Existing Construction Requirement to comply with code

\_\_\_\_\_ Other: (Describe)

Name (print) \_\_\_\_\_

\_\_\_\_\_  
Authorized Signature

\_\_\_\_\_  
Date

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APPLICANT'S AFFIDAVIT

INDIVIDUAL AFFIDAVIT

I/We, \_\_\_\_\_, being first duly sworn, depose and say that I/We am/are the owner(s) of the property which is the subject matter of the proposed hearing; that all the answers to the questions in this application, all sketches, data and other supplementary matter that may be attached to and made a part of the application are honest and true to the best of my knowledge and belief. I/We understand this application must be complete and accurate before a hearing can be advertised. Furthermore, I/We intend to have \_\_\_\_\_ represent me/us at the subject public hearing. I/We understand that representation may only be through legal counsel.

Signature

Sworn to and subscribed to before me  
this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

My Commission Expires:

Notary Public

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CORPORATION AFFIDAVIT

We, \_\_\_\_\_, being first duly sworn depose and say that we are the President/Vice-President of the aforesaid corporation, and as such, have been authorized by the Corporation to file this application for public hearing; that all answers to the questions in said application, all sketches, data and other supplementary matter that may be attached to and made a part of this application are honest and true to the best of our knowledge and belief; that said Corporation is the owner of the property which is the subject matter of the proposed hearing. We understand this application must be complete and accurate before a Board hearing will be advertised. Furthermore, we intend to have

\_\_\_\_\_ represent us at the Board hearing. We understand that representation may only be through legal counsel.

President or Vice-President's Signature (Corp. Seal)

ATTEST:

Secretary's Signature: \_\_\_\_\_  
Sworn to and subscribed to before me

this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

My Commission Expires:

\_\_\_\_\_  
Notary Public



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APPLICANT'S AFFIDAVIT

PARTNERSHIP AFFIDAVIT

We, the undersigned, being first duly sworn depose and say that we are partners of the herein after named partnership, and as such, have been authorized to file this application for a Board hearing; that all answers to the questions in said application, all sketches, data and all other supplementary matter attached to and made a part of this application are honest and true to the best of our knowledge and belief; that said partnership is the owner of the property which is the subject matter of the application. We understand this application must be complete and accurate before a hearing will be advertised. Furthermore, we intend to have \_\_\_\_\_ represent us at the Board hearing. We understand that representation may only be through legal counsel.

Name of Partnership

By: \_\_\_\_\_ % By: \_\_\_\_\_ %

By: \_\_\_\_\_ % By: \_\_\_\_\_ %

Sworn to and subscribed to before me

this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

My Commission Expires:

\_\_\_\_\_  
Notary Public

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ATTORNEY AFFIDAVIT

I, \_\_\_\_\_, being duly sworn, depose and say that I am a State of Florida Attorney at law, and I am the Attorney for the applicant and will represent the same at the proposed hearing; that all the answers to the questions in this application, all sketches, data and other supplementary matter attached and made a part of this application are honest and true to the best of my knowledge and belief.. I understand this application must be complete and accurate before a Board hearing will be advertised.

Signature

Sworn to and subscribed to before me

this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

My Commission Expires:

\_\_\_\_\_  
Notary Public

**Miami-Dade County  
Fire Prevention and Safety Appeals Board  
Year 2006 Meeting Dates**

**Miami-Dade County Fire Rescue Department Headquarters  
Auditorium  
9300 NW 41 Street  
Miami, Florida 33178**

The Miami-Dade Fire Prevention and Safety Appeals Board generally will meet on the last Thursday of every other month. Meetings are scheduled to begin at 9:30 a.m. Please schedule yourself in advance to attend these meetings. Please promptly notify Suzanne Gilmore at (786) 331-4800 if you are unable to attend a scheduled meeting.

All persons attending the meetings need to check in at the main desk in the front upon entering and leaving the building.

If there are no appeals scheduled for that month's meeting, Board Members will be notified of the cancellation.

The 2006 schedule is as follows:

January 26, 2006	Deadline to file:	January 4, 2006
March 30, 2006	Deadline to file:	March 8, 2006
May 25, 2006	Deadline to file:	May 3, 2006
July 27, 2006	Deadline to file:	July 5, 2006
September 28, 2006	Deadline to file:	September 6, 2006
November 16, 2006	Deadline to file:	October 25, 2006

Note: Meeting dates, times and location are subject to change